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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,393	04/25/2000	Stephen P. Scheinberg	AD6552USNA1	9134

30743 7590 07/29/2002

WHITHAM, CURTIS & CHRISTOFFERSON, P.C.  
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SUITE 340  
RESTON, VA 20190

EXAMINER

HALPERN, MARK

ART UNIT	PAPER NUMBER
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1731

10

DATE MAILED: 07/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

AS-10

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/558,393		SCHEINBERG, STEPHEN P.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Mark Halpern		1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 July 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 36,37 and 39-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 36, 37, 39-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

- 1) Acknowledgement is made of Amendment received 5/16/2002, Paper No. 6.  
Applicant cancels claim 38.

#### ***Specification***

- 2) Specification cross-reference section, should be updated to indicate that the application 09/054771, is now patent US 6,066,235.

#### ***Claim Objections***

- 3) Claim 36 is objected to because of the following informalities: in line 3, replace term "ration" with ratio". Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 4) Claims 36-37, 39-40, are rejected under 35 U.S.C. 102(b) as being anticipated by Casey.

Claims 36-37, 40; Casey discloses that up to 20 to 1 machine to cross direction tensile orientation is possible for wet lay process sheets (Casey, pg. 1129, 2<sup>nd</sup>).

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paragraph). This reads on the claimed at least a 9 to 1, or 90% machine orientation of sheets. Casey, on page 1141, discloses products having grammage of 15 to 100 g/m<sup>2</sup>. The basis weight range in Casey, at least in part, falls within the claimed range of 68 to 339 g/m<sup>2</sup>.

Claim 39: Casey on pages 1130-1132, discloses thermoplastic components of products made.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5) Claims 41-42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Casey in view of Bagg (GB 1,389, 539) and Weeks (5,409,573). Casey is applied as above for claim 40, Casey identifies structurally the claimed products, however it does not identify the products by name. Bagg discloses oriented mats. Weeks discloses structural composites. It would have been obvious to combine the teachings of Casey with the teachings of Bagg and Weeks, because such a combination would extend the products of Casey design.

***R sponse to Amendment***

6) Applicant's arguments filed 5/16/2002, have been fully considered but they are not persuasive.

Applicant alleges that the cited prior art, Casey, is directed to paper manufacture, not to a mat product used in a variety of engineering operations to manufacture rugged, durable products, and that the difference is most graphic when comparing the weight of the mat to the weight of paper products.

The argument is not well taken. Casey structurally identifies the product claimed, inclusive of the weight of the paper products. Casey does not specifically identify the products as "mats", however, when the structure recited in the reference is substantially identical to that of the claims, claimed properties or functions are presumed to be inherent.

Applicant alleges that the difference between paper products of Casey and the claimed mat can be seen when comparing the fiber lengths; the fibers used in the manufacture of mats are 6-15 times as large as those used in paper manufacture, and the fiber materials employed in the mat are typically more dense.

The argument is not well taken. The fibers length and their denseness are not claimed.

***Conclusion***

7) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Halpern whose telephone number is 703-305-

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4522. The examiner can normally be reached on Mon-Thu, (8:30-6:00), and alternate Fridays.

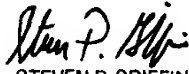
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 703-308-1164. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7718 for regular communications and 703-305-3599 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.

MH

Mark Halpern  
Patent Examiner  
Art Unit 1731

July 24, 2002

  
STEVEN P. GRIFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700